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Attorneys for USACM Liquidating Trust

# UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS,  
LLC,

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED  
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

## Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

## CHAPTER 11

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

## STIPULATION TO CONTINUE FEBRUARY 21, 2008 HEARING ON OBJECTION TO CLAIM 1279 OF LERIN HILLS

Date of Hearing: February 21, 2008  
Time of Hearing: 9:30 a.m.

New Date of Hearing: May 8, 2008  
Time of Hearing: 9:30 a.m.

USACM Liquidating Trust (the "USACM Trust"), by and through its counsel,  
Lewis and Roca LLP, and Lerin Hills Ltd. by and through its counsel, Kehoe &  
Associates, hereby stipulate:

LEWIS  
AND  
ROCA  
LLP  
LAWYERS

1           1.     The USACM Trust filed an objection to Claim No. 1279 of Lerin Hills Ltd.  
2 (the "Lerin Hills Objection") [DE 3080] filed in the amount of \$1,257,233.40 as an  
3 unsecured non-priority claim and a priority claim of \$797,175.62.

4           2.     The USACM Trust filed a Second Omnibus Objection to Claims Asserting  
5 Priority Status (the "Second Objection") [DE 3259] which included an objection to Claim  
6 No. 1279 filed by Lerin Hills.

7           3.     Both objections [DE 3080 and DE 3259] to Lerin Hills Claim No. 1279 are  
8 scheduled for hearing before this Court on February 21, 2008 at 9:30 a.m.

9           4.     Lerin Hills had been involved in ongoing negotiations in an attempt to  
10 resolve the dispute over its loan. The negotiations have been prolonged because of  
11 Compass withdrawing as the servicing agent on the Lerin Hills loan. Lerin Hills has been  
12 attempting to locate the proper person or entity with authority to resolve outstanding  
13 issues. In addition, Compass has retained claims against the Lerin Hills loan, which make  
14 negotiations even more difficult.

15           5.     The parties agree that at this time Lerin Hills is not in a position to pursue its  
16 claim against USACM. In order to allow more time for Lerin Hills to attempt to resolve  
17 its issues related to the loan, the parties agree that the hearing scheduled for February 21,  
18 2008 on both objections [DE 3080 and DE 3259] filed by the USACM Trust to Claim No.

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LEWIS  
AND  
ROCA  
LLP  
LAWYERS

1279 be vacated and rescheduled to **May 8, 2008 at 9:30 a.m.**

6. The parties submit a stipulated order for the Court's convenience.

DATED: February 14, 2008.

**LEWIS AND ROCA LLP**

By: /s/ RC (#6593)

Susan M. Freeman, AZ 4199 (*pro hac vice*)

Rob Charles, NV 6593

*Counsel for USACM Liquidating Trust*

-and-

**KEHOE & ASSOCIATES**

By: 3/Kehoe

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*Attorney for Lerin Hills, Ltd.*